

UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
PENN-0788

Total Pages in this Submission

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

COMPOSITIONS AND METHODS FOR INHIBITING MOTOR NEURON DEGENERATION

and invented by:

Schlaepfer and Canete-Soler

02-21-2002

U.S. Patent & TMOfo/TM Mail Rpt Dt. #22

Is a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/994,420

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/489,979

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 40 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications (if applicable)
 - c. ☒ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☒ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☐ Brief Description of the Drawings (if filed)
 - h. ☐ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☐ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☐ Formal Number of Sheets _____
- b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy) ☒ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☒ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
- a. ☐ Computer Readable Form (CFR)
- b. ☒ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☒ Paper
- c. ☒ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☐ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Specify Label No.): EV044354695US

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Accompanying Application Parts (Continued)

17. Applicant claims small entity status. See 37 CFR 1.27.

☐ (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted: _____

17. ☒ Additional Enclosures (please identify below):

USPTO Credit Card Payment Form
Return Postcard

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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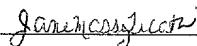
Fee Calculation and Transmittal

CLAIMS AS FILED

| For | #Filed | #Allowed | #Extra | Rate | Fee |
|--|--------|----------|--------|-----------|----------|
| Total Claims | 2 | - 20 = | 0 | x \$9.00 | \$0.00 |
| Indep. Claims | 1 | - 3 = | 0 | x \$42.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | \$0.00 |
| BASIC FEE | | | | | \$370.00 |
| OTHER FEE (specify purpose) | | | | | \$0.00 |
| TOTAL FILING FEE | | | | | \$370.00 |

- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **50-1619** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: February 21, 2002



Signature

Jane Massey Licata
Reg. No. 32,257
Licata & Tyrrell P.C.
66 E. Main Street
Marlton, NJ 08053
Tel: 856-810-1515
Fax: 856-810-1454

CC:

PENN-0788

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Label No. **EV044354695US**

Date of Deposit **February 20, 2002**

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R 1.10 on the date indicated above and is addressed to the "BOX SEQUENCE, P.O. Box 2327", Assistant Commissioner for Patents, Arlington, VA 22202.

- 1) Patent Application Transmittal Letter (2 copies);
- 2) Application consisting of 40 pages of Specification, including one (1) page of Claims and one (1) page of Abstract;
- 3) Return Post Card;
- 5) Credit Card Payment Form in the amount of \$370.00;
- 6) Unexecuted Declaration and Power of Attorney;
- 7) Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§1.821-1.825;
- 8) Sequence listing; and
- 9) Request under 37 CFR § 1.821(e).



JANE MASSEY LICATA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: PENN-0788

Inventors: Schlaepfer and Canete-Soler

Serial No.: Not yet assigned

Filing Date: Herewith

Examiner: Not yet assigned

Group Art Unit: Not yet assigned

Title: Compositions and Methods for Inhibiting
Motor Neuron Degeneration

"Express Mail" Label No. EV044354695US
Date of Deposit - February 21, 2002

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the United States Postal Service "Express Mail Post Office
to Addressee" service under 37 CFR 1.10 on the date
indicated above and is addressed to the Assistant Commissioner for
Patents, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

By Jane Massey Licata
Typed Name: Jane Massey Licata, Reg. No. 32,257

BOX SEQUENCE, P.O. Box 2327
Assistant Commissioner for Patents
Arlington, VA 22202

Sir:

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE
WITH 37 CFR §§ 1.821 THROUGH 1.825**

- (XX) I hereby state, in accordance with the requirements of **37 C.F.R. §1.821(f)**, that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with **37 CFR §1.821(c)** and **(e)**, respectively are the same.
- () I hereby state that the submission filed in accordance with **37 CFR §1.821(g)** does not include new matter.
- () I hereby state that the submission filed in accordance with **37 CFR §1.821(h)** does not include new matter or go beyond the disclosure in the international application as filed.

- () I hereby state that the amendments, made in accordance with **37 CFR §1.825(a)**, included in the substitute sheet(s) of the Sequence Listing were made to conform with the current Sequence Listing rules. I hereby state that the substitute sheet(s) of the Sequence Listing does not include new matter.
- () I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(b)**, is the same as the amended Sequence Listing.
- () I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(d)**, contains identical data to that originally filed.

Respectfully submitted,

Jane Massey Licata

Jane Massey Licata
Registration No. 32,257

Date: February 21, 2002

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: PENN-0788

Inventors: Schlaepfer and Canete-Soler

Serial No.: Not yet assigned

Filing Date: Herewith

Examiner: Not yet assigned

Group Art Unit: Not yet assigned

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indicated above and is addressed to the Assistant Commissioner for
Patents, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

By Jane Massey Licata
Typed Name: Jane Massey Licata, Reg. No. 32,257

BOX SEQUENCE, P.O. Box 2327
Assistant Commissioner for Patents
Arlington, VA 22202

Sir:

Request under 37 C.F.R. § 1.821(e)

The paper copy of the Sequence Listing in this application is identical to the computer readable copy of the Sequence Listing filed in application Serial No. 09/489,979 filed January 21, 2000. In accordance with 37 C.F.R. § 1.821(e), please use the only computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in the application number and filing date for the instant application.

A paper copy of the Sequence Listing is included in the originally-filed specification of the instant application.

Respectfully submitted,

Jane Massey Licata

Jane Massey Licata
Registration No. 32,257

Date: **February 21, 2002**

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